

AMS CHANGE REQUEST COVER SHEET

Change Request Number: 14-19

Date Received: 2-11-14

Title: Export Control Review – Policy Changes

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Organization Name and Routing Symbol: Procurement Policy Branch, AAP-110

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Policy OR Guidance: Policy

Affected Section/Text Location: 3.6.4 (new subsection) and Appendix E Part III

Summary of Change: New subsection in 3.6.4 addressing export control, and update to Appendix E, Part III with applicable regulations and standards.

Reason for Change: Consistency with FAA Order 1240.13 – FAA Export Control

Compliance Development, Review, and Concurrence: Acquisition Policy Division,

Contracting, and Procurement Legal **Target Audience:** Program Offices and Contracting

Workforce

Potential Links in FAST for

the Change: N/A Other

Documents that may be

Affected: None **Attachments:**

redline and final documents.

Briefing Planned: Yes.

ASAG Responsibilities: Review and Approve.

Redlines

Section Revised : 3.6.4 Foreign Acquisition

Section Added : 3.6.4.1 Buy American Act & 3.6.4.2 Export Control

Acquisition Management Policy - (4/2014)

3.6.4 Foreign Acquisition Revised 4/2014

[3.6.4.1 Buy American Act](#) Added 4/2014

The FAA will comply with the tenets of the Buy-American Act (41 U.S.C. 10a) as part of the agency's best value determination during the contractor selection process.

[3.6.4.2 Export Control](#) Revised 4/2014

[The FAA will comply with all U. S Export Control laws and regulations, including the International Traffic in Arms Regulations \(ITAR\), 22 CFR Parts 120 through 130 and the Export Administration Regulations \(EAR\), 15 CFR Parts 730 through 774.](#)

Acquisition Management Policy - (4/2014)

Section Revised: Appendix E: Part III International Traffic in Arms Regulations

Appendix E: Part III - Regulations/Standards Revised 4/2014

Title	Description Summary	Functional area affected	Promulgated by AMS: P=Policy, G=Guidance, C=Clause *=See Office of Chief Counsel			
Cost Accounting Standards (CAS) (48 CFR 9903.101	Uniform standards for government contractor's accounting for and reimbursement of costs. Within the FAA Cost Accounting Standards (CAS) do not apply to contracts for	Procurement	P	G	C	

	commercial items. Full or modified CAS coverage may be applied to cost type contracts only.					
Department of Transportation Policy for Seismic Safety of New and Existing DOT Owned or Leased Buildings (DOT SS-98-01)	Requires each DOT Operating Administration to ensure that new DOT owned buildings and additions and new buildings leased for DOT occupancy, are designed and constructed to comply with appropriate seismic design and construction standards. Additionally, each Operating Administration is required to mitigate unacceptable earthquake risks in existing buildings via a long-term risk mitigation program.	All	P			
Export Administration Regulations (EAR), 15 CFR Parts 730 through 774	U.S. Department of Commerce regulations for the export and re-export of most commercial items, services or documentation.	All	P	G	C	
Federal Management Regulations (formerly Federal Property Management)	Regulations used by GSA and other executive agency officials to regulate, and prescribe policies, procedures, and delegations of authority pertaining to the management of property, inventory, and disposal.	Real Property	P			
Federal Standard 313, Material Safety Data, Transportation Data and Disposal Data for hazardous materials furnished to Government activities.(March 1, 1988)	Establishes requirements for the preparation and submission of Material Safety Data Sheets by contractors who provide hazardous materials to government activities.	Procurement Environment	P	G	C	
FEMA 74, Reducing the Risk of Nonstructural Earthquake Damage, (Sep. 1994)	Provides Interagency Committee for Seismic Safety in Construction (ICSSC) requirements for equipment and other building system installation, risk mitigation and guidance on prioritizing projects.	All	P			
FEMA 310, Handbook for the Seismic Evaluation of Buildings: A Pre-Standard, (January 1998)	Provides requirements for identification of unacceptable seismic risks in existing buildings and equipment installations.	All	P			
FEMA 356, NEHRP. Pre-Standard and Commentary for the Seismic Rehabilitation of Buildings, (November 2000)	Provides requirements for mitigation of unacceptable seismic risks in existing buildings and equipment installations.	All	P			
FEMA 368/369, 2000 NEHRP Provision for Seismic Regulations for New Buildings and	Provides Interagency Committee for Seismic Safety in Construction (ICSSC) requirements for the construction of new buildings as well as design and installation of new equipment	All	P			

Other Structures, Parts 1 and 2, 2001.	for installation in any new or existing building.					
International Building Code (IBC) (2000/2003)	Establishes the current international building code in effect for all new construction of Federal buildings.	All	P			
International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130	Department of State regulations that control the export and import of defense-related articles, services and documents on the United States Munitions List (USML)	All	P	G	C	
Local Seismic Building codes (depends on location of project or installation site)	Requires use of local seismic building codes if they require a greater margin of safety than international or national building codes.	All	P			
NIST RP-6, standards for Seismic Safety for Existing Federally Owned or Leased Buildings, (January 2002)	Provides requirements for leasing and acquisition of existing buildings.	All	P			
Occupational Safety and Health Administration Regulations (29 CFR 1910.38)	Requires a written plan for emergency situations for each workplace where there is a possibility of an emergency. Appropriate portions of the plan shall be implemented in the event of an emergency.	All	P	G	C	
OMB Circular A-21, Cost Principles for Educational Institutions.	Describes basic cost principles applicable to the organization incurring the cost.	Procurement		G		*
OMB Circular A-76, Performance of Commercial Activities - (Aug. 4, 1983; Revised 1999)	Establishes Federal Policy regarding the performance of commercial activities. FAA's policy is to follow the guidance of this circular to the extent such standards are consistent with the FAA's Acquisition Management System and the Administrator's authority to implement "such terms or conditions as the Administrator may deem appropriate."	Investment Analysis Procurement	P	G		*
OMB Circular A-87, Cost Principles for State Local and Indian Tribal Governments	Describes basic cost principles applicable to the organization incurring the cost.	Procurement		G		*
OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments.	Establishes standards for grants and cooperative agreements with State and Local Governments.	Procurement		G		*
OMB Circular A-110, Uniform Administrative Requirements for Grants and	Establishes pre-award and post-award standards for Federal grants and agreements awarded to institutions of higher education, hospitals, and other non-profit organizations.	Procurement		G		*

Agreements with Institutions of Higher Education, Hospitals, and other Non-profit organizations.						
OMB Circular A-122, Cost Principles for Non-profit Organizations, excluding educational institutions and other organizations specified in the Circular.	Describes basic cost principles applicable to the organization incurring the cost.	Procurement		G		*
Patent and Copyright Laws	Establishes prohibitions regarding Patent and Copyright infringement.	Procurement	P	G	C	
Protests and Contract Disputes; 14 CFR, Parts 14 & 17.	Prescribes procedures for protests and contract disputes.	All	P		C	
Standards of Conduct for Employees of the Executive Branch (5 CFR 2635)	Prohibits conflicts of interest	All	P	G	C	

END OF PART III